

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

**Derrick G. Rhynes
Brittney Rhynes**

CASE NO: 18-56402-lsg
CHAPTER: 13
JUDGE: Lisa S. Gretchko

Debtor.

DEBTOR'S PROPOSED PLAN MODIFICATION #1

NOW COME, Derrick Rhynes and Brittney Rhynes, by and through their attorneys, Frego & Associates - The Bankruptcy Law Office, PLC, and in support of their Proposed Plan Modification #1, state as follows:

1. Debtors filed for relief under Chapter 13 on or about December 6, 2018.
2. Debtors' plan was confirmed on or about August 3, 2019.
3. Pursuant to the Order Confirming Plan, Debtors are obligated to remit weekly plan payments of \$190.05.
4. Debtors have a current delinquency of \$3,689.76.
5. Debtors seek to be excused from their delinquency for the following reasons:
 - a. Debtor Derrick G. Rhynes is the sole provider for his family and he was off of work from late March, 2021-May, 2021 with no income. When he returned to work, he was unable to immediately resume plan payments as he was behind with other necessary household expenses such as rent, car payment and utilities. Debtor is still struggling to get caught up.
6. Effect of Proposed Plan Modification #1 on creditors:
 - a. Class One: No adverse impact and will continue to be paid pursuant to the plan;
 - a. Class Two: No adverse impact and will continue to be paid pursuant to the plan;
 - b. Class Three: No impact as there are no Class Three creditors;
 - c. Class Four: No impact as there are no Class Four creditors;
 - d. Class Five: No adverse impact and will continue to be paid pursuant to the plan;
 - e. Class Six: No impact as there are no Class Six creditors;
 - f. Class Seven: No adverse impact and will continue to be paid pursuant to the plan;
 - g. Class Eight: No impact as there are no Class Eight creditors;
 - h. Class Nine: Debtors were not required to provide a dividend based on the liquidation analysis. However, the creditors may have received funds if Debtors were not seeking to excuse their delinquency.
7. A plan calculation, worksheet and liquidation analysis are attached as Exhibit 6.

Wherefore, Debtors requests this court grant their Proposed Plan Modification #1.

Dated: August 31, 2021

/s/ Marla A. Skeltis
Frego & Associates - The Bankruptcy Law Office, PLC
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ORDER MODIFYING PLAN

Debtors having filed a Post Confirmation Plan Modification #1, all interested parties having received Notice, a Certificate of No Response having been filed and the Court being more fully advised;

IT IS HEREBY ORDERED:

1 Debtors are excused from plan payments in the amount of \$3,689.76.

PROPOSED ORDER, EXHIBIT 1

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Notice of Deadline to Object to Proposed Chapter 13 Plan Modification #1

The deadline to file an objection to the attached proposed chapter 13 plan modification is 21 days after service.

If no timely responses are filed to a proposed post-confirmation plan modification, the proponent may file a certificate of no response and request entry of an order approving the plan modification.

If a timely objection is filed, the Court will set the matter for hearing and give notice of the hearing to the debtor, the proponent of the plan modification, the trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

Objections to the attached proposed chapter 13 plan modification shall be served on the following:

FREGO & ASSOCIATES - THE BANKRUPTCY LAW OFFICE, PLC, 23843 JOY ROAD, DEARBORN HEIGHTS, MI 48127

KRISPEN S. CARROLL 719 Griswold, 100 Dime Bldg, Detroit, MI. 48226

Derrick G. Rhynes and Brittney Rhynes, 13110 Princeton St., Apt. 6, Taylor, MI48180

Dated: August 31, 2021

/s/ Marla A. Skeltis

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